



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,538	01/23/2001	Yingjian Wang	17281/00002	2993
7590		11/23/2004	EXAMINER	
Hypromatrix, Inc. 100 Barber Avenue Eotvrdtrt, MA 01606			ART UNIT	PAPER NUMBER

DATE MAILED: 11/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 8-9-04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

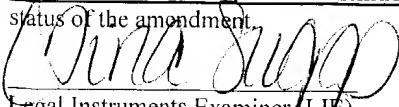
- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and **this ONE MONTH time limit is not extendable.**

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION (including a submission for an RCE)**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection**, and is not affected by the non-compliant status of the amendment.


Legal Instruments Examiner (LIE)

1571-272-0555
Telephone No.



UNITED STATES
DEPARTMENT OF COMMERCE
Patent and Trademark

Office
COMMISSIONER OF PATENTS
AND TRADEMARKS

Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOC
09/767,538			

EXAMINER	
ART UNIT	PAPER NUMBER
1639	11/15/04

Please find below a communication from the EXAMINER in charge of this application

NONCOMPLIANCE: 37 CFR 1.121 AMENDMENT PRACTICE: BONA FIDE ATTEMPT

Applicant's filing of an RCE and Accompanying Submission (amendment) dated 8/9/04 is acknowledged. However, applicant's amendment is defective because it fails to conform with the Revised Amendment Practice under 37 CFR 1.121 since: a) it fails to use "status identifiers" (e.g. original, currently amended, canceled, withdrawn, previously presented, new or not entered) for EACH CLAIM OF RECORD; and b) regarding amended claims fails to include "markings" (e.g. strikethrough, double brackets or underlining) to indicate changes. See 37 CFR 1.121; 68 Fed. Reg. 38611 (June 30, 2003), 1272 Off. Gaz. Pat. Office 197 (July 29, 2003) or

<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/moreinfoamdtprac.htm> for more information.

Applicant is given **ONE MONTH** from the mailing date of this communication within which to comply with the Revised Amendment Practice. Failure to comply with these requirements will result in ABANDONMENT of the application. Extensions of time may be obtained by filing a petition accompanied by the extension fee under 37 CFR 1.136(a). Reply to the undersigned.

Inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Celsa whose telephone number is (571) 272-0807. If the examiner cannot be reached, inquiries can be directed to Supervisory Patent Examiner Andrew Wang whose telephone number is (571) 272-0811. General nature inquiry relating to the status of this application should be directed to the Group receptionist at (571) 272-0700.

Primary Examiner Bennett Celsa (ART UNIT 1639)

November 15, 2004

AFTER 10 DAYS RETURN TO: TC 1600

Organization Bldg./Rm. Q-1000
U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

~~CMI~~

~~Q-1000~~

RECEIVED PORTUNITY EMPLOYER

DEC 15 2004

TECH CENTER 1600/2900

U.S. OFFICIAL MAIL
PENALTY FOR
PRIVATE USE \$300
02 1A \$00.370
0004204034 NOV 23 2004
MAILED FROM ZIP CODE 22314



REASON CHECKED

- ☐ Unclaimed
- ☐ Attempted - Not Known
- ☒ Incorrect Address
- ☐ No Such Number
- ☒ No Such Person
- ☐ Other